

Jeffry K. Finer, WSBA No. 14610
LAW OFFICES OF JEFFRY K. FINER
35 W. Main, Suite 300
Spokane, WA 99201
(509) 464-7611

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON**

LISA ORVIS, a single woman and)	No. CV-10-424-RMP
others similarly situation,)	
)	
Plaintiff,)	
vs.)	DECLARATION OF JEFFRY K.
)	FINER
SPOKANE COUNTY, a municipal)	
corporation)	
)	
Defendant.)	

JEFFRY FINER states as follows:

1. I am one of the counsel to Plaintiff in the above-entitled matter and have personal knowledge of the facts stated in this declaration.
2. I am a graduate of Yale College (Cum Laude) and the University of New Mexico School of Law (Order of the Coif). I have been in private practice since 1984, predominately in federal court, handling criminal defense and civil rights cases on behalf of plaintiffs.

1
2 3. Since 1999, I have been an adjunct professor of law at Gonzaga University
3 Law School, where I have taught criminal procedure, criminal trial process,
4 white collar crime and coach the school's trial team in national competitions.
5 From time to time, I consult as an expert witness on attorney malpractice. I
6 regularly present CLEs and have published non-scholarly articles in over half a
7 dozen legal magazines. My appellate work consists largely of Ninth Circuit
8 matters, and in 1996, I argued before the United States Supreme Court.
9

10
11 4. My hours are gathered from contemporaneous records reflecting the actual
12 time spent on the matters notated. The time and activities reported are correct,
13 necessary and reasonable.
14

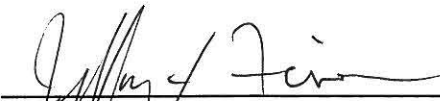
15 5. Attached is a true and correct copy of an outline reflecting contemporaneous
16 billing records maintained during this case, totaling 23.2 hours for attorney
17 time. I billed my time on this matter at \$300/hour, which is well within the
18 prevailing market rate for lawyers with my education and experience practicing
19 civil rights law in Federal Court for the Eastern District of Washington. Thus,
20 my billable time on this case totals \$6,960 through the date of this declaration.
21

22 6. I provided supervision to Jennifer Slattery while she worked on this matter
23 and have reviewed her time records.
24
25

7. I believe my billable time and Jennifer Slattery's billable time on this case are reasonable, based on my personal experience and familiarity with the Spokane legal community and practice before the federal court.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated this 25 day of May, 2012, at Spokane, Washington.


JEFFRY K. FINER, WSBA #14610
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Spokane, WA 99201

5/18/12	Prepare hours for Breean	0.8
5/11/12	caller Hernandez re: opt out	0.3
4/27/12	refer caller to Breean re: claim	0.2
4/26/12	w/Danette re: procedure for callers needing Breean v. Jennifer	0.2
3/27/12	errata to order	0.1
3/21/12	review court order granting class (provisional)	0.5
2/13/12	joint motion for settlement	0.5
1/21/12	check on status of certificate re: settlement	0.2
1/17/12	review April 11 chart of explanations re: spreadsheet	0.3
11/23/11	email approval of stipulated schedule change	0.1
11/14/11	further research on class action settlement figures for wrongful incarceration (2 emails)	0.4
11/9/11	Turner review with Jennifer	0.3
11/18/11	with Breean re: valuation	0.2
10/31/11	case discussion with Jennifer re: distinguishing Div II ruling with a hearing	0.5
10/27/11	updated spreadsheet	0.2
10/27/11	waiver research	0.5
10/26/11	six emails re: progress post mediation	0.2
10/19/11	mediation (present twice during day)	1.4
10/17/11	reviewed defendants' mediation statement (17 pages and 4-page exhibit)	1.4
10/17/11	with Breean and client re: caselaw and mediation strategy	0.8
10/16/11	meeting to align mediation strategy	0.4
10/13/11	first second and final read of mediation memorandum from P's	1.1
10/11/11	review spreadsheet and email confirmation to Breean	0.2
9/28/11	research federal standards, provided to breean	0.6
9/26/11	review draft of mediation summary statement	0.5
9/22/11	detailed outline with Jennifer	1
9/10/11	w/ Breean re: liability memo necessary for upcoming mediation	0.1
7/22/11	scheduling order	0.1
7/19/11	review stipulated motion to continue	0.1
7/18/11	w/Breean and Jennifer. 13,000 days from some 700+ class members, made assignments	0.4
6/29/11	Rule 68 response	0.2
6/24/11	Rule 68 discussion with Breean	0.5
4/21/11	supplemental disclosure from Breean	0.1
4/14/11	w/Jennifer re: status conf with Breean (COURT)	0.2
4/13/11	reviewing disclosure language with Breean, versions with Jennifer	0.2
4/12/11	telephone conference with all counsel	0.6
4/7/11	letter from Kitson setting forth legend for spreadsheet columns	0.2
4/5/11	draft of joint status report (multiple emails)	0.2
3/31/11	new status certificate draft to include affirmative defense (offset)	0.1
3/31/11	associated	0.1
3/24/11	discussion with opposing counsel re: amending answer to include setoff	0.2
3/23/11	multiple emails re: telephone conference tomorrow	0.4
3/9/11	w/Jennifer re: organization of research	0.5
3/2/11	emails re: my association into case (8 emails and agreement draft)	0.7
3/1/11	compare two Answers, email with Breean	1.6
2/22/11	review Heck application our case	0.9
1/21/11	reviewing various class cert motion/memos for use in Orvis class	0.8
1/7/11	w/Breean re: next steps. Jennifer to draft motion for class cert (based on Asotin case)	0.7
1/7/11	downloaded & reviewed key cases (4)	1.1
12/19/10	tracking status report w/Breean for Monday meeting	0.1
12/15/10	presented to Jim Sheehan and obtained approval to join Breean	0.2
TOTAL		23.2